

REGULATION

SPDOC No.: 03-11	Effective Date: April 14, 2003	Index Reference: Group Insurance Plans	Regulation Number: 5.18
Issuing Bureau: Employee Benefits	Rule Reference: Rule 5-11 (Group Insurance Plans)		Replaces: Reg. 5.18 (CS-6994, Feb. 12, 2003)
Subject: GROUP INSURANCE PLAN COMPLAINTS			

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1. **PURPOSE**

This regulation provides procedures for classified employees to appeal privacy, coverage, exclusion, and cost issues regarding group insurance plans approved by the Civil Service Commission.

2. **CIVIL SERVICE COMMISSION RULE REFERENCE**

Rule 5-11 Group Insurance Plans

5-11.1 Types of Group Insurance Plans

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(e) ***Administration.*** The department of civil service is responsible for implementing and administering the group insurance plans approved by the civil service commission. The state personnel director shall provide an expedited administrative review of employee complaints regarding group insurance plan coverages, exclusions, and costs. The director's administrative review process is the exclusive procedure for reviewing

employee complaints regarding group insurance plan coverages, exclusions, and costs.

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3. **STANDARDS**

A. Coverage, Exclusion, and Cost Complaints.

A classified employee aggrieved by a decision of an administrator of a group insurance plan may complain under the exclusive procedure provided in this regulation:

1. **Plan Administrator.** An eligible employee must first exhaust all complaint and appeal mechanisms provided by the administrator of the group insurance plan.
2. **Employee Benefits Division.** Within 28 calendar days of the issuance of the final appeal decision available from a plan administrator, the employee may file a written complaint with the Employee Benefits Division of the Department of Civil Service. The complaint must include copies of all appeal decisions of the plan administrator and any other relevant information needed to consider the case. The Director of the Employee Benefits Division shall issue a written decision regarding the complaint.
3. **State Personnel Director.** Within 28 calendar days of the issuance of the Employee Benefits Division's decision, an employee may file a written appeal with the State Personnel Director or the director's designee. The appeal must include copies of all underlying decisions and other relevant information. The director or director's designee shall issue a written decision regarding the appeal. This decision is final.

B. Privacy Complaints

1. **Complaint Filing.** An eligible classified employee enrolled in a health plan administered and self-insured by the State of Michigan who believes that the employee's personal health information related to benefit eligibility or enrollment has been improperly used or disclosed may file a complaint with the Privacy Official for the Employee Benefits Division of the Michigan Department of Civil Service. The complaint must be filed on the CS-1782 HIPAA Privacy Complaint Form, which is available at the Employee Benefits section of the Department of Civil Service homepage, www.michigan.gov/mdcs. The complaint must identify the alleged violation of privacy rights with sufficient specificity to allow further review.

2. **Privacy Official Review.** The Privacy Official or a designee shall review the complaint and make written findings of fact regarding the alleged violation of privacy policies. This decision is final. The Privacy Official shall send copies of the written findings to the complainant and any relevant appointing authority. The Privacy Official shall continuously evaluate complaints to seek improvements to existing health plan privacy procedures. An appointing authority shall consider all appropriate discipline of an employee found by the Privacy Official or designee to have violated privacy procedures.

CONTACT

Questions regarding this regulation should be directed to Employee Benefits Division, Department of Civil Service, P.O. Box 30002, 400 South Pine Street, Lansing, MI 48909; by telephone, at 517-373-7977 or 1-800-505-5011. Questions regarding privacy complaints can be directed to the Privacy Official for the Department of Civil Service at the same address and phone numbers or to MDCS-HIPAA@michigan.gov.

NOTE: Regulations are issued by the State Personnel Director, under authority granted in the *State of Michigan Constitution* and the *Michigan Civil Service Commission Rules*. Regulations that implement Commission Rules are subordinate to those Rules.